

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IRON BIRD LLC.,

Plaintiff,

v.

AUTEL ROBOTICS LTD.,

Defendant.

Civil Action No.: 6:23-cv-00169-DAE

TRIAL BY JURY DEMANDED

MOTION FOR EXTENSION OF TO PERFECT SERVICE UPON DEFENDANT

Plaintiff Iron Bird LLC (“Plaintiff”), by and through undersigned counsel, hereby requests an additional thirty (30) days, up through and including July 5, 2023, in which to perfect service upon Defendant, Autel Robotics Ltd. (“Defendant”). For cause, Plaintiff states as follows:

1. Plaintiff filed its Complaint herein against Defendant on March 7, 2023 (ECF 1).
2. On March 8, 2023, Plaintiff caused the Summons and Complaint, along with the filed Exhibits, to be served upon Defendant by and through what Plaintiff believed to be Defendant’s statutory Registered Agent. A copy of the Registered Agent information obtained from the Texas Secretary of State is attached hereto as Exhibit A.
3. On March 10, 2023, Plaintiff’s counsel received notice from its process server advising counsel that service was unable to be perfected due to the address provided not being a good and valid address for Defendant’s Registered Agent. A copy of said notice is attached hereto as Exhibit B.
4. Plaintiff’s counsel has recently received the Return of Non-Service from the process server and it is being filed with concurrently with this Motion.

5. Upon further investigation to obtain service of process information for the Defendant, Plaintiff's counsel believes that the named Defendant may in fact not be the proper party to the instant action and, as such, Plaintiff's counsel believes the Complaint may need to be amended to name the correct party. Inasmuch as the Court does not permit electronic filing of an Amended Complaint naming an additional party, should an Amended Complaint need to be filed it will need to be submitted to the Court for filing in paper format, which will take additional time and extend the timing of the receipt of an issued Summons for service of process.

For all of the foregoing reasons, Plaintiff respectfully requests that the Court grant Plaintiff an extension of time until July 5, 2023 in which to perfect service upon Defendant.

Dated: June 6, 2023

Respectfully submitted,

SAND, SEBOLT & WERNOW CO., LPA

/s/ Andrew S. Curfman

Andrew S. Curfman
Aegis Tower – Suite 1100
4940 Munson Street NW
Canton, Ohio 44718-3684
Telephone: (330) 244-1174
Facsimile: (330) 244-1173
Email: andrew.curfman@sswip.com

**Counsel for Plaintiff
Iron Bird LLC**